

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

JORGE ESTRADA-TEPAL

Defendant

NOTICE OF MOTION

Ind. #: 14-105 (MKB)

PLEASE TAKE NOTICE, that upon the annexed declaration of Steven Brill and a Memorandum of Law, submitted herewith and the prior papers and proceedings herein, the undersigned will move before the Honorable Margot K. Brodie, United States District Court Judge for the Eastern District of New York, on the 29th Day of July, at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York for Orders:

- 1) Directing the government to provide any and all evidence favorable to Mr. Estrada-Tepal, including exculpatory evidence, impeachment evidence, and any and all evidence consistent with his innocence pursuant to *Kyles v. Whitley*, 514 U.S. 419 (1995); *Brady v. Maryland*, 373 U.S. 83 (1972); and *Giglio v. United States*, 405 U.S. 150 (1972).
- 2) Directing the government to disclose to the defendant, any and all acts which the government would seek to introduce against the defendant

pursuant to Fed. R. Evid. 404(b) in such sufficient and reasonable time that the defendant may make a motion to preclude the introduction of such evidence;

- 3) Directing that the government, pursuant to Fed. R. Crim. P. 16 (a)(1)(G), to disclose to defendant “a written summary” of any testimony that the government intends to use under Fed. R. Evid 702, 703, or 705 during its case-in-chief at trial;
- 4) Permitting the defendant to join any motions made by his co-defendants to the extent that they are applicable to him;
- 5) Granting such additional relief as the Court deems just and proper and appropriate, including the scheduling of an evidentiary hearing to resolve the factual disputes raised by this motion.

Dated: New York, New York
June 24, 2014

SULLIVAN & BRILL, LLP



By: Steven Brill, Esq.

115 Broadway 17th Floor
New York, NY 10006
212-566-1000
Steven.brill@sullivanbrill.com
Attorney for Jorge Estrada-Tepal

cc: All counsel via ECF